

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION No. 1:18-cv-10819-LTS

DONNA GAVIN,
Plaintiff

vs.

**CITY OF BOSTON and MARK
HAYES,**
Defendants

**CITY OF BOSTON'S MOTION FOR REMITTITUR PURSUANT TO FED. R.
CIV. P. 59**

Now comes the Defendant, City of Boston (the "City"), and hereby moves for a remittitur pursuant to Fed. R. Civ. P. 59. As grounds therefore, the City states that the verdict is against the law, against the weight of the credible evidence, or tantamount to a miscarriage of justice.

In support of its Motion, the City submits the accompanying memorandum of law and exhibit attached thereto. As additional grounds in support of request for remittitur, the City specifically incorporates by reference the reasons raised by co-defendant Mark Hayes.

For all the reasons set forth, the City respectfully requests that Plaintiff's damages award be reduced to the following: \$200,000-\$250,000 in emotional distress (ECF 261, question 6B), \$60,000 in lost overtime, sick time and medical expenses (id. at question 7B), and \$250,000 in lost promotional damages (id. at question 8B).

Dated: December 15, 2021,

Respectfully submitted:

CITY OF BOSTON

By its attorneys:
ADAM CEDERBAUM
Corporation Counsel

/s/ Erika P. Reis
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LOCAL RULE 7.1 CERTIFICATION

I hereby certify that on December 13, 2021, I conferred with counsel for Plaintiff pursuant to Local Rule 7.1 in an effort to narrow the issue raised here. Parties were unable to narrow the issues that are the subject of this motion.

Dated: December 15, 2021 /s/ Nieve Anjomi
Nieve Anjomi

CERTIFICATE OF SERVICE

I, Nieve Anjomi, hereby certify that a true copy of the above document will be served upon all parties of record via this court's electronic filing system and upon any non-registered participants via first class mail on the date listed below.

Dated: December 15, 2021

/s/ Nieve Anjomi
Nieve Anjomi